

REMARKS

The applicants have carefully reviewed the official action and the references it cites.

In the official action, claims 1-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Bauer et al. in view of White et al. and further in view of one or more of Ng et al., Lin et al., and Gerszberg et al.; claims 13-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lin et al. in view of McHale et al.; claims 16-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lin et al. in view of McHale et al. and further in view of Gerszberg et al.; and claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Lin et al. in view of McHale et al. and further in view of Ng et al. In addition, claim 21 was indicated as containing allowable subject matter. Accordingly, claim 21 is not discussed further herein.

By way of this response, the applicants have amended claim 1 and added claim 22. No new matter has been added. By way of the foregoing amendments and the following remarks, the applicants respectfully traverse the rejections. The applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration is respectfully requested.

The applicants respectfully submit that independent claim 1 is allowable over the art of record. Claim 1 is directed to a method that involves, *inter alia*, detecting a dialing of a destination telephone number and establishing a telephony connection with an internet service provider based on a telephone number of the internet service provider in response to the dialing of the destination telephone number. The applied art does not describe or suggest detecting a dialing of a destination telephone number and establishing a telephony connection with an internet service provider based on a telephone number of the internet service provider in response to the dialing of the destination telephone number. On the contrary, Bauer et al. describe connecting to an internet service provider in response to a user dialing a generic

access telephone number and a database determining the most cost effective routing number to use for accessing the internet service provider. *Bauer et al.*, 1:67-2:4 and 2:15-19. Also in contrast to claim 1, White et al. describe an internet telephone service that does not require the use of an internet service provider. *White et al.*, 4:14-16. Instead, the White et al. system uses internet modules 72 and 74 at central offices 50 and 52 that establish an internet connection with each other using internet addresses without the use of internet service providers, much less telephone numbers of internet service providers. *White et al.*, FIG. 2, 5:24-26 and 6:36-39. Therefore, neither Bauer et al. nor White et al. describe or suggest detecting a dialing of a destination telephone number and establishing a telephony connection with an internet service provider based on a telephone number of the internet service provider in response to the dialing of the destination telephone number as recited in claim 1.

Further, it would not have been obvious to one of ordinary skill in the art to modify and/or combine Bauer et al. and White et al. to detect a dialing of a destination telephone number and establish a telephony connection with an internet service provider based on a telephone number of the internet service provider in response to the dialing of the destination telephone number. As discussed above, Bauer et al. describe connecting with an internet service provider in response to a user dialing a generic access telephone number. To modify Bauer et al. to arrive at claim 1 would require that the Bauer et al. system at least be configured to allow a user to simultaneously dial the generic access telephone number and a destination telephone number. However, such an implementation would not work because it is well established that a telephone system is configured to accept only one telephone number at a time. Also, modifying White et al. to establish a telephony connection with an internet service provider based on a telephone number of the internet service provider would be contrary to its principle of operation, which does not require access to an internet service

provider, but instead transparently creates an internet connection between two central offices of a telephone company.

In view of the foregoing, the applicants respectfully submit that the applied art cannot anticipate nor render obvious claim 1. Accordingly, the applicants respectfully submit that independent claim 1 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 13 is also allowable over the art of record. Independent claim 13 is directed to a home gateway system that includes, *inter alia*, a router to receive a data packet from an internal port with an external address and send a request to a processor to establish a communication session with an internet service provider, the processor to direct the transceiver to establish a telephony connection with the internet service provider. In the official action, no evidence was provided to show how any of the applied art described these recited elements as is required to establish *prima facie* obviousness. Instead, the action states only that Lin et al. describe sending a command to a transceiver to establish a telephony connection to a service provider and that McHale et al. describe providing a point of presence for an information service provider by using a transceiver, but the action does not show how either of the applied references describes a router as recited in claim 13.

Further, the applicants respectfully submit that neither Lin et al. nor McHale et al. describe or suggest a router to receive a data packet from an internal port with an external address and send a request to a processor to establish a communication session with an internet service provider, the processor to direct the transceiver to establish a telephony connection with the internet service provider. In addition, the applicants respectfully note that claim 13 is directed to a home gateway system having the recited elements, whereas the portions of the applied art cited in the official action refer to components distributed

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throughout a communication network. There is no line of reasoning supporting the position that one of ordinary skill in the art would have combined the network elements of the applied art to a home gateway system. In view of the foregoing, the applicants respectfully submit that the applied art does not describe or suggest each and every element of claim 13 and, thus, cannot render claim 13 obvious. Accordingly, the applicants respectfully submit that independent claim 13 and all claims dependent thereon are in condition for allowance.

For at least the foregoing reasons, the applicants respectfully submit that all of the claims pending in the instant application are in condition for allowance. Reconsideration is respectfully requested. If there are any remaining issues in this application, the examiner is invited to contact the undersigned representative at the telephone number below.

Respectfully submitted,

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